

HOFLAND & TOMSHECK

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

vs.

OFIR FRIEDEN,

Defendant.

Case No.: 2:21-cr-00184-JCM-NJK

Stipulation and Order to Continue
Sentencing
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and DANIEL SCHIESS, ESQ., Assistant United States Attorney, counsel for the United States of America, and JOSHUA TOMSHECK, ESQ., counsel for Defendant, OFIR FRIEDEN, that the Sentencing and Disposition currently scheduled for May 31, 2023 at 10:30 a.m. be continued to a date convenient for the Court no earlier than August 14, 2023.

This stipulation is entered into for the following reasons:

1. This is the first Sentencing and Disposition continuance request.
2. Counsel for the Defendant needs additional time to review and prepare for Sentencing. Additionally, counsel have prearranged leave scheduled for the month of July and therefore designed this stipulation to accommodate those absences.

3. Mr. Frieden has family in Israel that may want to attend the sentencing proceeding either in person or by video. Setting a firm date for the sentencing sometime in the future will assist planning.
4. The parties agree to the continuance.
5. The defendant is not in custody and does not object to this continuance.
6. Additionally, denial of this request for continuance could result in a miscarriage of justice.
7. For the above stated reasons, the parties agree that a continuance of the Sentencing and Disposition would best serve the ends of justice in this case.

DATED this 24th day of May, 2023.

Respectfully submitted,

HOFLAND & TOMSHECK

JASON M. FRIERSON
United States Attorney

/s/ Joshua Tomsheck
JOSHUA TOMSHECK, ESQ.
Counsel for Defendant
OFIR FRIEDEN

/s/ Daniel Schiess
DANIEL SCHIESS, ESQ.
Assistant United States Attorney

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is the first Sentencing and Disposition continuance request.
2. Counsel for the Defendant needs additional time to review and prepare for Sentencing. Additionally, counsel have prearranged leave scheduled for the month of July and therefore designed this stipulation to accommodate those absences.
3. Mr. Frieden has family in Israel that may want to attend the sentencing proceeding either in person or by video. Setting a firm date for the sentencing sometime in the future will assist planning.
4. The parties agree to the continuance.
5. The defendant is not in custody and does not object to this continuance.

1 6. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice.

3 7. For the above stated reasons, the parties agree that a continuance of the Sentencing
4 and Disposition would best serve the ends of justice in this case.

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6 ORDER

7 IT IS HEREBY ORDERED, that Sentencing and Disposition currently scheduled for
8 May 31, 2023 at 10:30 a.m. be continued to **August 18, 2023, at 10:00 a.m.**
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11 DATED May 26, 2023.

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14 UNITED STATES DISTRICT JUDGE

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16 Respectfully Submitted By:

17 /s/ Joshua Tomsheck

18 Joshua Tomsheck, Esq.
19 Nevada Bar No. 009210
20 Attorney for Defendant
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